



Entered on Docket  
October 28, 2009

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes," et al.,<sup>1</sup>

Debtors.

Case No.: BK-S-09-14814-LBR  
(Jointly Administered)

Chapter 11

Affects:

☒ ☐

All Debtors

Affects the following Debtor(s)

Hearing Date: October 19, 2009  
Hearing Time: 9:30 a.m.  
Courtroom 1

**ORDER APPROVING MOTION OF DEBTORS FOR ENTRY OF AN ORDER UNDER  
BANKRUPTCY CODE SECTION 365(d)(4) EXTENDING TIME WITHIN WHICH  
DEBTORS MAY ASSUME OR REJECT UNEXPIRED LEASES OF  
NONRESIDENTIAL REAL PROPERTY – [DOCKET NO. 497]**

<sup>1</sup> The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of the *Motion of Debtors for Entry of an Order Under Bankruptcy*  
2 *Code Section 365(d)(4) Extending Time Within Which Debtors May Assume or Reject Unexpired*  
3 *Leases of Nonresidential Real Property* (the "Motion") [Docket No. 497], and good cause  
4 appearing,

5 IT IS HEREBY ORDERED THAT

6 1. The Motion is granted.  
7 2. The time within which the Debtors<sup>2</sup> must assume or reject the Leases, pursuant to  
8 section 365(d)(4) of the Bankruptcy Code, is hereby extended through the earlier of: (i) January  
9 31, 2010; (ii) any date agreed to between the Debtors and the landlord; or (iii) the date of entry of  
10 an order confirming a plan in these cases.

11 3. Nothing contained herein shall be deemed to authorize the assumption or rejection  
12 of any of the Leases.

13 4. The extension granted in this Order is without prejudice to the Debtors' right to  
14 seek further extension(s) of their time to assume or reject some or all of the Leases.

15 5. All time periods set forth in this Order shall be calculated in accordance with Rule  
16 9006(a) of the Federal Rules of Bankruptcy Procedure.

17 6. The Debtors are authorized to take all actions necessary to effectuate the relief  
18 granted pursuant to this Order in accordance with the Motion.

19 7. Notwithstanding the possible applicability of Rules 6004(h), 7062, and 9014 of  
20 the Federal Rules of Bankruptcy Procedure or otherwise, the terms and conditions of this Order  
21 shall be immediately effective and enforceable upon its entry.

22 8. The Court retains jurisdiction with respect to all matters arising from or related to  
23 the implementation, interpretation and enforcement of this Order.

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<sup>2</sup> Capitalized terms, unless otherwise defined herein, shall have the meanings ascribed to them in the Motion.

1 APPROVED DISAPPROVED:

2 DATED this 19<sup>th</sup> day of October 2009.

3 By: August B. Landis  
4 UNITED STATES TRUSTEE  
5 August B. Landis  
6 Office of the United States Trustee  
300 Las Vegas Blvd. S., Ste. 4300  
Las Vegas, NV 89101

7 Submitted by:  
8 DATED this 19th day of October 2009.

9 By: /s/ Zachariah Larson  
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**LR 9021 Certification**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Submitted by:

DATED this 23<sup>rd</sup> day of October 2009.

By: /s/ Zachariah Larson

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